

DOS PALOS, CALIFORNIA, LAND CONVEYANCE

MARCH 20, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SMITH of Oregon, from the Committee on Agriculture,
submitted the following

REPORT

[To accompany H.R. 111]

[Including cost estimate of the Congressional Budget Office]

The Committee on Agriculture, to whom was referred the bill (H.R. 111) to authorize the Secretary of Agriculture to convey a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

BRIEF EXPLANATION

H.R. 111 authorizes the Secretary of Agriculture to convey at fair market value a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

PURPOSE AND NEED

H.R. 111 provides the Secretary of Agriculture with authority to sell 22 acres of land in Dos Palos, California, currently held by the U.S. Department of Agriculture's Farm Service Agency (FSA) in its inventory of land acquired through its farmer lending program. The Dos Palos Ag Boosters, a nonprofit group, has agreed to purchase the land at its fair market value, which will be established by FSA, to use as a school to teach middle- and high-school-age students how to farm.

Because current law strictly prescribes how the Secretary may dispose of inventory property, this special authority is necessary. H.R. 111 addresses the specific inventory property described in the bill for the specific purpose of teaching students to farm.

SECTION-BY-SECTION

Section 1 authorizes the Secretary of Agriculture, notwithstanding any other law, to convey to the Dos Palos Ag Boosters of Dos Palos, California, all right, title and interest of the United States to a parcel of real property, including its improvements, of 22 acres of land located at 18296 Elgin Avenue, Dos Palos, California. The property conveyed will be used as a farm school for the education and training of students and beginning farmers. The conveyance is final, and the Secretary of Agriculture retains no future liability.

Section 1 also requires the Dos Palos Ag Boosters, or upon the request of the Dos Palos Ag Boosters, the Dos Palos School District, to pay the Secretary an amount equal to the fair market value of the parcel of land.

Finally, Section 1 requires the Secretary to determine the fair market value, and a survey of the acreage and its legal description, to be completed at the expense of the Dos Palos Ag Boosters, will be satisfactory to the Secretary. The Secretary may require other terms or conditions concerning the conveyance to protect the interests of the United States.

COMMITTEE CONSIDERATION

The Committee on Agriculture met, pursuant to notice and with a quorum present, on March 12, 1997, to consider H.R. 111, and other pending business. Chairman Smith recognized Mr. Combest, Chairman of the Subcommittee on Forestry, Resource Conservation, and Research, for a unanimous consent request that the Subcommittee on Forestry, Resource Conservation, and Forestry be discharged from further consideration of the bill that was so ordered by the Chairman. Chairman Smith also recognized Mr. Combest for an explanation of H.R. 111 and other pending legislation. Mr. Condit, author of the bill, also spoke in support of the legislation. There was no other comment on the bill.

After a discussion of other pending business before the Committee, Chairman Smith recognized Mr. Combest to offer a motion that the bill, H.R. 111, be adopted and favorably reported to the House with the recommendation that it pass. Mr. Combest's motion was agreed to by a voice vote of the Committee.

REPORTING THE BILL—ROLLCALL VOTES

In compliance with clause 2(1)(2) of rule XI of the House of Representatives, H.R. 111 was reported by voice vote with a majority quorum present. There was no request for a recorded vote.

ADMINISTRATION POSITION

Prior to consideration of the bill, H.R. 4041, under suspension of the rules in the House during the 104th Congress, on September 27, 1996, the Farm Service Agency (FSA) of USDA, California State Office, released to Representative Condit a memorandum to Grant Buntrock, FSA Administrator, from John G. Smythe, State FSA Executive Director, discussing the conveyance of FSA inventory property to the Dos Palos Ag Boosters. In that memorandum, dated August 28, 1996, Mr. Smythe indicated that the FSA state office in California would support legislation providing the Sec-

retary with the authority to convey the 22 acres to either the Dos Palos Ag Boosters or the Dos Palos School District.

H.R. 111 is identical to the bill, H.R. 4041, that was adopted in the House on September 27, 1996.

BUDGET ACT COMPLIANCE (SECTIONS 308, 403, AND 424)

The provisions of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority, new spending authority, new credit authority, or increased or decreased revenues or tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and sections 403 and 424 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 13, 1997.

Hon. BOB SMITH,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 111, a bill to authorize the Secretary of Agriculture to convey a parcel of agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoria V. Heid.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 111—A bill to authorize the Secretary of Agriculture to convey a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school

H.R. 111 would authorize the Secretary of Agriculture to convey a parcel of about 22 acres of land in Dos Palos, California, to the Dos Palos Ag Boosters. As consideration for the conveyance, the transferee would pay the Secretary the fair market value of the parcel, as determined by the Secretary. The transferee would also be required to pay the cost of a survey to determine the exact acreage and legal description.

Based on information provided by the Farm Service Agency (FSA), which owns the land, CBO estimates that enacting H.R. 111 would have no significant impact on the federal budget. According to the FSA, the land is worth less than \$100,000. The agency acquired the parcel through liquidation and then leased out the land. That lease has since expired. Under new procedures, FSA now is required to sell such land at its appraised value (if possible) upon expiration of a lease, so this land would likely be sold in the near future under current law. CBO estimates that receipts from the

sale of this land would not be significantly different under H.R. 111.

Because the bill could affect direct spending, pay-as-you-go procedures would apply, but any such effect would be negligible. H.R. 111 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Victoria V. Heid. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, clause 8, section 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the Government of the United States or in any department or officer thereof.

OVERSIGHT STATEMENT

No summary of oversight findings and recommendations made by the Committee on Government Reform and Oversight as provided for in clause 2(1)(3)(D) of rule XI, and under clause 4(c)(2) of rule X of the Rules of the House of Representatives was available to the Committee with reference to the subject matter specifically addressed by H.R. 111.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 2(1)(3)(A) of rule XI and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Agriculture's oversight findings and recommendations are reflected in the body of this report.

COMMITTEE COST ESTIMATE

Pursuant to clause 7(a) of rule XIII of the Rules of the House of Representatives, the Committee report incorporates the cost estimate prepared by the Director of the Congressional Budget Office pursuant to sections 403 and 424 of the Congressional Budget Act of 1974.

ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act is created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).